

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

ALL IN JETS, LLC

Debtor.

Chapter 11

No. 20-11831 (MEW)

**STIPULATION AND SECOND ORDER EXTENDING
THE UNITED STATES OF AMERICA’S TIME TO OBJECT TO DISCHARGE**

WHEREAS, All in Jets, LLC (the “Debtor”) filed a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) on August 9, 2020, (the “Petition”), ECF No. 1;

WHEREAS, Section 1141(d)(6) of the Bankruptcy Code provides that “the confirmation of a plan does not discharge a debtor that is a corporation from any debt . . . (A) of a kind specified in paragraph (2)(A) or (2)(B) of section 523(a) that is owed to a domestic governmental unit.” 11 U.S.C. § 1141(d)(6);

WHEREAS, Paragraph 2(A) of 11 U.S.C. § 523(a) excepts from discharge “any debt . . . for money, property, services, or an extension, renewal, or refinancing of credit, to the extent obtained by . . . false pretenses, a false representation, or actual fraud, other than a statement respecting the debtor’s or an insider’s financial condition.” *Id.* § 523(a)(2)(A);

WHEREAS, the United States of America, its agencies, departments, officers, employees, servants, and agents (the “Government”) requires additional time to determine whether certain debts of the Debtor may fall within this exception to discharge;

WHEREAS, Debtor consents to an extension of time of the applicable deadline, if any, for the United States to oppose the discharge of any debt pursuant to 11 U.S.C. § 1141(d)(6), until April 26, 2021;

WHEREAS, nothing in this Stipulation constitutes a determination that section 523(c) of the Bankruptcy Code or Rule 4007(c) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) apply, or that any deadline exists to seek a determination of dischargeability under section 1141(d)(6) of the Bankruptcy Code;

WHEREAS, out of an abundance of caution, the Debtor and the Government have agreed upon the extension set forth herein, without prejudice to the Government’s right to seek further extensions or to assert that no deadline applies and without prejudice to the Debtor’s claims, objections or defenses;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, AND UPON COURT APPROVAL HEREOF, IT SHALL BE ORDERED THAT the Government’s time to file an objection or an adversary proceeding asserting that any claim or debt is not dischargeable, to the extent that there is any time limitation, is hereby extended to and including **April 26, 2021**, without prejudice to further extensions.

DEBTOR

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Southern District of New York
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SO ORDERED:

s/Michael E. Wiles 3/22/2021
THE HONORABLE MICHAEL E. WILES
UNITED STATES BANKRUPTCY JUDGE